

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

Jonathan Berall, M.D., M.P.H.,

*Plaintiff,*

v.

Verathon Inc., Pentax of America, Inc., Karl  
Storz Endoscopy-America, Inc., Aircraft  
Medical, Ltd., LMA North America, Inc., and  
Airtraq, LLC,

*Defendants*

C.A. No.: 1:10-cv-05777-LAP-DCF

**~~PROPOSED~~ ORDER REGARDING VENUE OBJECTIONS**

Upon the stipulation and consent of the parties and for good cause shown, the Court hereby **ORDERS** that each of defendants Verathon, Inc., Pentax of America, Inc., and LMA North America, Inc. does not waive an objection to venue by participating in mediation sponsored by or under the supervision of this Court. Plaintiff contends that defendants have delayed in objecting to venue through actions other than participation in mediation. Each of defendants separately contends that it has not waived any objection to venue. This order does not address these positions, but rather leaves these issues to be resolved, if necessary, following completion of the mediation.

**SO ORDERED:** June 15, 2020.

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**LORETTA A. PRESKA**  
UNITED STATES DISTRICT JUDGE

**SO STIPULATED**

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